



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

03 MAR 2004

Mr. Roderick L. Bremby, Secretary
Kansas Department of Health & Environment
Office of the Secretary
1000 SW Jackson, Suite 540
Topeka, Kansas 66612-1368

RECEIVED

MAR 05 2004

BUREAU OF WATER

Re: Smoky Hill/Saline Basin TMDLs

Dear Mr. Bremby:

This letter is in response to 3 Total Maximum Daily Load (TMDL) documents submitted by the Kansas Department of Health and Environment and received by the U.S. Environmental Protection Agency (EPA) on January 28, 2004. Specifically, these 3 documents, representing their waterbodies and impairments were addressed:

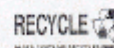
1. Cedar Bluff Lake and Smoky Hill River (Elkader, Gove, and Trego) - Sulfate
2. Smoky Hill River (Salina) - Biology, revisions received February 5 and 18, 2004
3. Kanapolis Lake, Smoky Hill River (Ellsworth, Wilson, Russell, and Schoenchen), Beaver Creek, Coal Creek, Fossil Creek, Goose Creek, Landon Creek, and Sellens Creek - Sulfate, revisions received February 18 and 19, 2004

In all, the 3 documents constitute 131 TMDLs for waterbodies identified on the 2002 Kansas §303(d) list, and located in the Smoky Hill/Saline Basin. In addition to fulfilling the Clean Water Act statutory requirement to develop TMDLs for those waters listed on the Kansas §303(d) list, this submission was made pursuant to Paragraph 7 of the Consent Decree requirements entered on April 13, 1998.

EPA has completed its review of these TMDL documents and by this letter, EPA approves the 3 TMDL documents submitted. Region 7 TMDL review forms are enclosed with this letter that summarize the rationale for EPA's approval for each TMDL document. EPA believes the separate elements of the TMDLs described in the review forms adequately address the pollutants of concern, taking into consideration seasonal variation and a margin of safety.

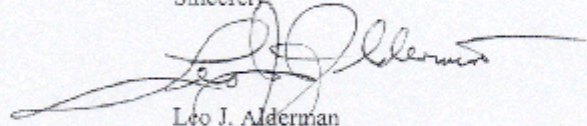
EPA is currently engaged in consultation under Section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service regarding these TMDLs. While EPA is approving these TMDLs at the present time, EPA may decide that changes to the TMDLs are warranted based upon the results of the consultation when it is completed.

EPA commends KDHE on its efforts to submit these TMDLs for the Smoky Hill/Saline Basin as set forth in the Consent Decree requirements. EPA appreciates the thoughtful



teamwork and partnering effort that Kansas has put forth in the development of these Smoky Hill/Saline Basin TMDLs as well. We will continue to cooperate and assist, as appropriate, in future efforts by Kansas to develop TMDLs.

Sincerely,

A handwritten signature in black ink, appearing to read "Leo J. Alderman", with a long horizontal flourish extending to the right.

Leo J. Alderman
Director

Water, Wetlands, and Pesticides Division

Enclosures

cc: Tom Stiles, Kansas Department of Health and Environment, Topeka, KS
John Simpson, KNRC, Inc., Kansas City, MO